

LeA 32792C1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Inventor(s): Stoltefuss, et al.

Application No.: 10/781,075

Group Art Unit: 1624

Filed: 02/17/2004

Examiner: Rao, Deepak R.

Title: Dihydropyrimidines

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date: 14 February 2007

Signature: William F. Gray

William F. Gray

Petition for Revival of an Application for Patent Abandoned Unintentionally
Under 37 CFR 1.137(b)Attention: Office of Petitions
Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22131-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Other than small entity- fee \$1500 (37 CFR 1.17(m))02/16/2007 AWONDAF1 00000063 133372 10781075
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2. Reply and/or fee**A. The reply to the above-noted Office action in the form of the filing of continuing application serial no. 11/639,955**

- ☒ has been filed previously on 12/15/2006,
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____.
☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee


☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37CFR 1.20(d)) of \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63).

4. STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted,



William F. Gray
Reg. No.: 31018

Address: Bayer Corporation
400 Morgan Lane
West Haven, CT 06516-4175
Phone: (203) 812-2712
Date: 14 February 2007

Enclosures: ☒ Fee Payment: Please charge Account No. 13-3372 in the amount of \$1500. The Commissioner is also authorized to charge any fees that may have been overlooked but that are required to Deposit Account 13-3372. Additionally, please credit any overpayment to the same account.

- ☐ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☐ Other: _____